

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSHUA ADAM SCHULTE,

Plaintiff,

-v-

UNITED STATES OF AMERICA,

Defendant.

21 Civ. 4042 (JMF)

DECLARATION OF SHARON BRZOWSKI

I, SHARON BRZOWSKI, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury as follows:

1. I am employed by the Federal Bureau of Prisons ("BOP") as a Legal Assistant. I have been employed in this position since April 19, 2015.
2. I submit this Declaration in connection with the United States of America's Motion to Dismiss the Amended Complaint filed by Joshua Schulte ("Plaintiff").
3. I base this Declaration on my personal knowledge and on information contained in Content Manager, the BOP's computerized program which logs and stores all administrative tort claims received by the BOP.
4. When the BOP Regional Office receives administrative claims in the mail, a Legal Services staff member opens the mail received and stamps each mailing with the date of receipt. I scan and log into Content Manager all administrative tort claims received for the Northeast Region which are assigned a case number and are also searchable by the inmate's unique Bureau of Prisons Register Number.

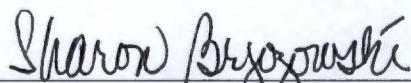
5. If the BOP Regional Office receives administrative tort claims by other methods, such as by e-mail or a transfer from another agency, I scan and log into Content Manager all administrative tort claims received for the Northeast Region which are assigned a case number and are also searchable by the inmate's unique Bureau of Prisons Register Number.

6. I have made a diligent search of the BOP's Content Manager for any records that have been indexed under Joshua Schulte or Joshua Schulte's inmate number (79471-054).

7. The search disclosed that there is no record of Plaintiff submitting to the BOP any SF-95 form or form claiming damages, other than (a) the BP-A0943 "Small Claims for Property Damage or Loss" form dated December 6, 2018, which the BOP received on January 11, 2019, and (b) the SF-95 "Claim for Damage, Injury, or Death" form dated August 27, 2021, which the BOP received on September 22, 2021.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 23, 2023
Philadelphia, Pennsylvania


SHARON BRZOZOWSKI